UNITED STATES DISTRICT COURT FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA

v.

Cr. No. 05-21-01-T

JOSEPH NICOLELLA

ORDER DENYING MOTION FOR APPOINTMENT OF COUNSEL

Defendant's motion for appointment of counsel is denied. Appointment of counsel to represent a defendant in an appeal is made by the Court of Appeals, not the District Court.

By Order

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Deputy Cleri

ENTER:

Emet C. Some

Ernest C. Torres Chief Judge

Date: November 3 , 2005